



SHIRE OF MT MARSHALL

MINUTES

**Notice is hereby given that an
Ordinary Meeting of Council was held
on Tuesday 19 July 2016, in Council
Chambers, 80 Monger Street,
Bencubbin commencing at 3:01pm.**

Cr RM Kirby

President

*This page has
been left blank
intentionally*

DISCLAIMER

MEMBERS OF THE PUBLIC ARE REQUESTED TO READ THROUGH AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Mt Marshall for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mt Marshall disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Mt Marshall during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Mt Marshall. The Shire of Mt Marshall warns that anyone who has an application lodged with the Shire of Mt Marshall must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Mt Marshall in respect of the application.

Stephen Tindale
Acting Chief Executive Officer

Chairman Initial

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

TABLE OF CONTENTS

1. Declaration of Opening / Announcement of Visitors
2. Record of Attendance / Apologies / Approved Leave of Absence
3. Standing Orders
4. Public Questions
 - 4.1 Response to Previous Public Questions Taken On Notice
 - 4.2 Public Question Time
5. Applications for Leave of Absence
6. Declarations of Interest
7. Confirmation of Minutes of Previous Meetings
 - 7.1 Minutes of the Ordinary Meeting held on Tuesday 21 June 2016
8. Announcements by Presiding Person Without Discussion
9. Presidents Report
10. Petitions / Deputations / Presentations / Submissions
11. Reports of Committees
12. Reports of Officers
 - 12.1 Environmental Health Officer/Building Surveyor
 - 12.1.1 Shire of Mt Marshall Health Amendment Local Law 2016
 - 12.2 Community Development Officer
 - 12.3 Finance and Administration Manager
 - 12.3.23 Statement of Financial Activity to 30 June 2016
 - 12.3.24 Accounts Paid
 - 12.4 Chief Executive Officer
 - 12.4.12 Bencubbin Recreation Complex Funding Options
 - 12.5 Executive Assistant
 - 12.6 Regulatory Officer
 - 12.6.1 Application for Development Approval – Qstone Pty Ltd
15. New Business of an Urgent Nature Introduced by Decision of the Meeting
 - 15.1.1 Wheatbelt Freight Plan – Wheatbelt North East Sub Regional Road Group (WNE SRRG)

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

- 13. **Matters for which Members of the Public to be Excluded**
 - 13.1 **Tender RFT02/15 – Architectural Services, Bencubbin Multipurpose Complex Redevelopment**
- 14. **Elected Members' Motions of Which Previous Notice Has Been Given**
- 16. **Next Meeting – Tuesday 16 August 2016 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin**
- 17. **Closure of Meeting**

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 3:01pm, and welcomed the members of the public present in the gallery

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr RM Kirby	President / Presiding Member	
Cr SE Faulkner	Deputy President	3:01 – 3:23, 3:33 – 3:43pm
Cr PA Gillett	Councillor	3:01 – 3:23, 3:33 – 3:43pm
Cr ARC Sachse	Councillor	3:01 – 3:23, 3:33 – 3:43pm
Cr WJ Beagley	Councillor	
Cr HJ Shemeld	Councillor	
Cr CT Lumsden	Councillor	
Mr Stephen Tindale	Acting Chief Executive Officer	3:01 – 3:26, 3:27 – 3:43pm
Ms Nadine Richmond	Executive Assistant	
Ms Tanika McLennan	Finance and Administration Manager	3:01 – 3:33, 3:33 – 3:43pm
Miss Sally Morgan	Community Development Officer	
Mr Chris Kirby	Member of the public	3:01 – 3:40pm
Mrs Marian Kirby	Member of the public	3:01 – 3:40pm
Mr Ian Sanders	Member of the public	3:01 – 3:40, 3:42 – 3:43pm
Mr Michael Putt	Member of the public	3:01 – 3:40, 3:42 – 3:43pm
Mrs Megan Beagley	Member of the public	3:01 – 3:40pm
Mr Peter Waters	Member of the public	3:01 – 3:40, 3:42 – 3:43pm
Mrs Leeanne Gobbart	Member of the public	3:01 – 3:40pm

Apologies

Nil

3.0 Standing Orders

2016/102 COUNCIL DECISION:

That Standing Order number 9.2 - Limitation of Number of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

Moved Cr CT Lumsden

Seconded Cr SE Faulkner

Carried 7/0

4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

4.2 Public Question Time

Public Question Time opened at 3:02pm

4.2.1 Summary of question from Mr Noel Miguel:

Can you please confirm that the costs which were indicated for the legal advice from EFT11221 on 09/06/2016 – Civic Legal – Legal Opinion Specified Area Rate of \$34,188.00 will be included in the overall budget for the Bencubbin Rec Centre and that this cost, will not be absorbed through other whole of Shire budgets?

Summary of response from the Presiding Member:

Local government accounting standards require the legal fees expense to be recorded against Governance - Legal Fees in the Shire's Statements of Financial Activity.

In other words, they cannot be shown against the proposed Bencubbin Recreation Complex Redevelopment project.

They will be paid from general revenue of the Shire on Council's resolution.

Public Question time closed at 3:04pm

5.0 Applications for Leave Of Absence

Nil

6.0 Declarations of Interest

Cr Stuart Faulkner declared a financial interest in agenda item 12.6.1 being that he was a joint owner of property where a proposed quarry would operate entitling him to possible royalties.

Cr Tony Sachse declared a financial interest in agenda item 12.6.1 being that he owned property where a quarry currently operates.

Cr Paul Gillett declared a financial interest in agenda item 12.6.1 being that he leases land from Mr Paul Sachse who is an owner of property where a proposed quarry would operate.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 21 June 2016

2016/103 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 21 June 2016 be confirmed as a true and correct record of proceedings.

Moved Cr PA Gillett

Seconded Cr WJ Beagley

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

8.0	Announcements by Presiding Person Without Discussion
------------	-------------------------------------------------------------

The Presiding Member gave details of Hon Terry Redman's announcement of 8 July regarding \$19.98 million in Royalties for Regions funding towards the Central East Aged Care Alliance project to construct independent living units to accommodate the ageing population across 11 partner Shires in the Wheatbelt, including the Shire of Mt Marshall. The Presiding Member congratulated CEACA on their funding success.

The Presiding Member congratulated the Beacon Progress Association for their success in receiving \$37,000 of funding through the Wheatbelt Development Commission Community Chest Fund for the construction of a display area adjacent to their Men's Shed.

On behalf of Council, the Presiding Member offered sincere condolences to Vilmae, Julie, Damian and Stephen Tomas and families on the passing of Mike Tomas. She made mention of Michael serving as a Councillor for the Shire of Mt Marshall from 1999-2003 and him being a very active volunteer, particularly with Lions Club and St Johns.

9.0	President's Report
------------	---------------------------

Purpose:

This report is prepared by the President to provide Council and the community of Mt Marshall with information about activities undertaken.

Comment:

The President represented the Shire at the following meetings and training opportunities from June 21st to July 19th:

28th June - Peter Geraghty Honorary Freeman Award Ceremony in Mukinbudin with Cr Faulkner, Cr Sachse and ACEO Eddie Piper

28th June - NEWROC, Mukinbudin with Cr Faulkner and ACEO Eddie Piper

30th June - GECZ Teleconference

1st July - Councillor and staff annual road tour with Cr Beagley, Cr Faulkner, Cr Gillett and Cr Sachse

1st July - Farewell function for Sgt Dave Thirlwell with Cr Beagley, Cr Faulkner, Cr Gillett and Cr Sachse

5th July - Communications Webinar for Elected Members, WALGA Training, Cr Sachse also participated

8th July - Ministerial Meeting Day and GECZ meeting, Merredin with Cr Faulkner and ACEO Eddie Piper

10.0	Petitions / Deputations / Presentations / Submissions
-------------	--------------------------------------------------------------

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

11.0	Reports of Committees
-------------	------------------------------

Nil

12.0	Reports of Officers
-------------	----------------------------

12.1	Environmental Health Officer / Building Surveyor
-------------	---------------------------------------------------------

12.1.1	Shire of Mt Marshall Health Amendment Local Law 2016
---------------	-------------------------------------------------------------

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/4
AUTHOR:	Bill Hardy – Environmental Health Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	7 July 2016
ATTACHMENT NUMBER:	12.1.1 – Proposed advertisement of submission period
CONSULTATION:	Department of Local Government and Communities, Joint Standing Committee on Delegated legislation.
STATUTORY ENVIRONMENT:	Local Government Act 1995

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

the notice, being a day that is not less than 6 weeks after the notice is given;

and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
- (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

[Section 3.12 amended by No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23.]

POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Yes, Cost to Gazette new Local Law (changes only) and advertising in the Western Australian newspaper.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

The Shire President read aloud the purpose and effect of the Local Law

“The purpose of the Shire of Mt Marshall Health Amendment Local Law 2016 is to effect corrections of errors in the Shire of Mt Marshall Health Local Law 2014 as required by the Joint Standing Committee on Delegated Legislation.”

2016/104 OFFICERS RECOMMENDATION/COUNCIL DECISION:

That Council endorse, in accordance with section 3.12 of Local Government Act 1995, the giving of 42 days state wide public notice of intention to make the Shire of Mt Marshall Health Amendment Local Law 2016 as follows:

- In clause 3.2.4(2)(b), delete the reference to AS1668.2; 1991 and insert instead AS 1668.2 2012;
- In clause 3.2.4(3)(a), delete the reference to AS/NZS 3666.2; 1995 and insert instead, AS/NZS 3666.2:2011;
- In clause 3.5.1(2)(b), and 10 other clauses, delete the reference to “Part 12” and insert instead “Part 11”;
- In clause 5.1.2 delete the word "maintain" and insert instead the word "keep";
- In clause 5.1.9, delete the word "of" and insert instead "or";
- In clause 5.1.10 insert the words "Unless transporting a pet animal or bird, " at the beginning of the clause;
- In clause 7.1.3(3) move the words "the officer may, by notice in writing, direct as the case may be -" to a new line aligned with the first word of subclause (3);
- Again in clause 7.1.3(3) align the words "within the time and in the manner specified in the notice" with paragraphs (i) and (ii);

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

- In clause 8.1.2(b), delete the reference to clause 8.1.4 and insert instead 8.1.3;
- Not enforce the local law contrary to these undertakings;
- Make all consequential amendments arising from the above undertakings;
- Provide the Committee with a copy of the minutes of the meeting at which the Council resolves to provide the undertakings; and
- Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

**Carried 7/0
Absolute Majority**

BACKGROUND:

Council considered the Shire of Mt Marshall Health Local Law 2014 in October 2014 and resolved as follows

2014/140 OFFICER RECOMMENDATION/COUNCIL DECISION:

That:

1. Council 'Make' the Shire of Mt Marshall Health Local Law 2014 as presented in 11.1.5a;
2. Council authorises the Shire of Mt Marshall Seal to be affixed to the Shire of Mt Marshall Health Local Law 2014, signed and dated by the Shire President and Chief Executive Officer and;
3. The signed and sealed Shire of Mt Marshall Health Local Law 2014 be forwarded to the Executive Director of Public Health for his/her signature of consent and presented to State Law Publishers for gazettal.

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Beagley

Carried 7/0

Once approved by Council the document was forwarded to the Joint Standing Committee on Delegated Legislation who requested a number of changes to the document. These amendments were considered and approved at the July 2015 ordinary meeting of Council as follows:

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2015/087 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Council endorse the Principal Environmental Health Officer making the following corrections to the Shire of Mt Marshall Health Local Law 2014 as requested by the Joint Standing Committee on Delegated Legislation:

- In clause 3.2.4(2)(b), delete the reference to AS1668.2; 1991 and insert instead AS 1668.2 2012;
- In clause 3.2.4(3)(a), delete the reference to AS/NZS 3666.2; 1995 and insert instead, AS/NZS 3666.2:2011;
- In clause 3.5.1(2)(b), and 10 other clauses, delete the reference to "Part 12" and insert instead "Part 11";
- In clause 5.1.2 delete the word "maintain" and insert instead the word "keep";
- In clause 5.1.9, delete the word "of" and insert instead "or";
- In clause 5.1.10 insert the words "Unless transporting a pet animal or bird, " at the beginning of the clause;
- In clause 7.1.3(3) move the words "the officer may, by notice in writing, direct as the case may be -" to a new line aligned with the first word of subclause (3);
- Again in clause 7.1.3(3) align the words "within the time and in the manner specified in the notice" with paragraphs (i) and (ii);
- In clause 8.1.2(b), delete the reference to clause 8.1.4 and insert instead 8.1.3;
- Not enforce the local law contrary to these undertakings;
- Make all consequential amendments arising from the above undertakings;
- Provide the Committee with a copy of the minutes of the meeting at which the Council resolves to provide the undertakings; and
- Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.

**Moved Cr PA Gillett
Absolute Majority**

Seconded Cr JW Munns

Carried 6/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

An item was then presented to the December 2015 meeting where Council resolved as follows:

2015/146 OFFICERS RECOMMENDATION/COUNCIL DECISION:

That Council endorse giving 42 days state wide public notice under section 3.12 of the Local Government Act 1995 of intention to make the Shire of Mt Marshall Health Amendment Local Law 2015 with changes as requested by the Joint Standing Committee on Delegated legislation as follows:

- In clause 3.2.4(2)(b), delete the reference to AS1668.2; 1991 and insert instead AS 1668.2 2012;
- In clause 3.2.4(3)(a), delete the reference to AS/NZS 3666.2; 1995 and insert instead, AS/NZS 3666.2:2011;
- In clause 3.5.1(2)(b), and 10 other clauses, delete the reference to "Part 12" and insert instead "Part 11";
- In clause 5.1.2 delete the word "maintain" and insert instead the word "keep";
- In clause 5.1.9, delete the word "of" and insert instead "or";
- In clause 5.1.10 insert the words "Unless transporting a pet animal or bird, " at the beginning of the clause;
- In clause 7.1.3(3) move the words "the officer may, by notice in writing, direct as the case may be -" to a new line aligned with the first word of subclause (3);
- Again in clause 7.1.3(3) align the words "within the time and in the manner specified in the notice" with paragraphs (i) and (ii);
- In clause 8.1.2(b), delete the reference to clause 8.1.4 and insert instead 8.1.3;
- Not enforce the local law contrary to these undertakings;
- Make all consequential amendments arising from the above undertakings;
- Provide the Committee with a copy of the minutes of the meeting at which the Council resolves to provide the undertakings; and
- Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of these undertakings.

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

Carried 7/0

COMMENT:

Unfortunately deadlines set by the Joint Standing Committee on Delegated Legislation have been missed and some steps of the process to make the amendments to the local law need to be completed again.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

12.2 Community Development Officer

Nil

12.3 Finance and Administration Manager

12.3.23 Statement of Financial Activity to 30 June 2016

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Tanika McLennan - Finance and Administration Manager
DISCLOSURE OF INTEREST:	Nil
DATE:	14 June 2016
ATTACHMENT NUMBER:	12.3.23 – Statement of Financial Activity to 30 June 2016
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	The statement presented to Council is the most up to date information on its current financial position.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/105 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorse the Statement of Financial Activity for the month ending 30 June 2016.

Moved Cr PA Gillett

Seconded Cr SE Faulkner

Carried 7/0

BACKGROUND:

Under Regulation 34 of the Local Government (Financial Management) Regulations 1996 a local government is to prepare each month a statement of financial activity which includes annual budget estimates, year to date budget estimates, actual amounts expenditure, revenue and income, material variances and net current assets.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

12.3.24 Accounts Paid

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: F1/4
AUTHOR: Sandy Wyatt – Administration Officer
DISCLOSURE OF INTEREST: Nil
DATE: 11 July 2016
CONSULTATION: Tanika McLennan – Finance and Administration Manager
STATUTORY ENVIRONMENT: Financial Management Regulations and the Local Government Act 1995
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2016/106 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the accounts listed:

Municipal Fund	\$	1,404,034.67
Trust Fund	\$	26,783.40
Mastercard	\$	4,185.65
Total	\$	1,435,003.72

Detailed statement provided in Councillor Information

Be endorsed

Moved Cr WJ Beagley

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Tuesday 19 July 2016 for the Municipal Fund, Trust Fund and Mastercard. Councillor questions regarding any payments can be directed to Finance and Administration Manager, Tanika McLennan, prior to the meeting.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
1	01/06/2016	BANK FEES - BANK FEES	BANK FEES	1.75
EFT11221	09/06/2016	CIVIC LEGAL	LEGAL OPINION-SPECIFIED AREA RATE	34188.00
EFT11222	14/06/2016	BORAL CONSTRUCTION MATERIALS	BITUMEN SURFACING 2015/16	451546.00
EFT11223	16/06/2016	COVS	ANALOGUE THERMOMETER	10.86
EFT11224	16/06/2016	CJD EQUIPMENT PTY LTD	SEAL KIT	34.38
EFT11225	16/06/2016	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS-MARCH'16	452.00
EFT11226	16/06/2016	SHIRE OF TRAYNING	DOCTORS VEHICLE & MEDICAL EXPENSES- APRIL'16 25%	12029.49
EFT11227	16/06/2016	STAR TRACK EXPRESS	FREIGHT-MAY'16	583.89
EFT11228	16/06/2016	FUJI XEROX AUSTRALIA PTY LTD	COPIER LEASE CHARGE 26.2.16-25.3.16	928.22
EFT11229	16/06/2016	AG IMPLEMENTS	MAY SUPPLIES	240.04
EFT11230	16/06/2016	ECOWATER SERVICES	MAINTENANCE BIOMAX SYSTEM-229 MURRAY ST	211.30
EFT11231	16/06/2016	ZURICH AUSTRALIAN INSURANCE LTD	EXCESS	300.00
EFT11232	21/06/2016	BANKWEST CORPORATE MASTERCARD	VARIOUS GOODS-MAY'16	4185.65
EFT11233	22/06/2016	SHIRE OF MT MARSHALL	MATERIALS FOR AGED CARE UNITS & FOOTPATHS	2942.50
EFT11234	22/06/2016	AVON WASTE	RUBBISH COLLECTION-MAY16	7218.25
EFT11235	22/06/2016	BOC GASES	GAS CYLINDERS-MAY'16	86.35
EFT11236	22/06/2016	TWO DOGS HOME HARDWARE	MAY SUPPLIES	21.14
EFT11237	22/06/2016	CJD EQUIPMENT PTY LTD	MAY SUPPLIES	925.85
EFT11238	22/06/2016	NINGHAN SPRAYING & AG SERVICES	PUMP & TANK-BEACON GUN CLUB-15/16 CLUB SUPPORT FUND	5027.21
EFT11239	22/06/2016	JASON SIGNMAKERS	BRACKETS	247.50
EFT11240	22/06/2016	BENCUBBIN NEWS & POST	POSTAGE 23.5.16-27.5.16	276.35
EFT11241	22/06/2016	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	359.80
EFT11242	22/06/2016	BENCUBBIN BULK HAULIERS	HIRE OF SIDETIPPER-MAY'16	11162.80
EFT11243	22/06/2016	MOORE STEPHENS (WA) PTY LTD	FINANCIAL MANAGEMENT REVIEW	6050.00
EFT11244	22/06/2016	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB 4TH QTR CONTRIBUTION	3393.20
EFT11245	22/06/2016	PORKY'S ENTERPRISES	WINDSCREEN-LANDCRUISER	380.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Chq/EFT	Date	Name	Description	Amount
EFT11246	22/06/2016	DAVES TREE SERVICE	TREE TRIMMING/REMOVAL	5720.00
EFT11247	22/06/2016	BENCUBBIN TRUCK N AUTO'S	VEHICLE REPAIRS	3536.37
EFT11248	22/06/2016	CLIFF HAINES TYRES	TYRES	1180.00
EFT11249	22/06/2016	CIVIC LEGAL	MANAGEMENT CONTRACT-BEACON CARAVAN PARK	2002.00
EFT11250	22/06/2016	VERNON CONTRACTING	TRAFFIC MANAGEMENT-MAY'16	15450.00
EFT11251	22/06/2016	D & D TRANSPORT	FREIGHT-MAY'16	81.95
EFT11252	22/06/2016	STALKER PUMPS	PARTS-WATER TANKER	4797.10
EFT11253	22/06/2016	NAUGHTY BUGS PEST CONTROL	PEST CONTROL	550.00
EFT11254	22/06/2016	LANDGATE	RURAL UV'S CHARGEABLE	355.50
EFT11255	22/06/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	CEO RECRUITMENT SERVICE	7117.32
EFT11256	22/06/2016	BENCUBBIN AG SUPPLIES	MAY SUPPLIES	21.45
EFT11257	22/06/2016	GERALDTON FUEL	FUEL-MAY'16	662.26
EFT11258	22/06/2016	BENNY MART	MAY SUPPLIES	138.80
EFT11259	22/06/2016	JENNI BUNCE - CLEANING	CLEANING-BEACON	3570.00
EFT11260	22/06/2016	NORTHAM CARPETS PTY LTD	VINYL-BEACON REC COMPLEX KITCHEN	5335.00
EFT11261	22/06/2016	BROOKS HIRE SERVICE PTY LTD	WATER TRUCK HIRE-MAY'16	6436.10
EFT11262	22/06/2016	KALANNIE COMMUNITY RESOURCE CENTRE	ADVERTISING-CAR RALLY	25.00
EFT11263	22/06/2016	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING	100.00
EFT11264	22/06/2016	GREAT SOUTHERN FUELS	FUEL	16672.96
EFT11265	22/06/2016	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	606.16
EFT11266	22/06/2016	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT	1089.00
EFT11267	22/06/2016	KC SALES	MEALS-PRIOR TO STEERING COMMITTEE MEETING-WALGA	40.50
EFT11268	22/06/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES 4.5.16 & 24.5.16	467.50
EFT11269	22/06/2016	MARKET CREATIONS	STATIONERY	495.00
EFT11270	22/06/2016	WHEATBELT COMMUNITY DEVELOPMENT SERVICE	ORAL HISTORY CATALOGUING	682.50
EFT11271	22/06/2016	MARKETFORCE PTY LTD	ADVERTISING-MAY'16	85.68
EFT11274	28/06/2016	BORAL CONSTRUCTION MATERIALS	BITUMEN SURFACING 2015/16	539910.84

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Chq/EFT	Date	Name	Description	Amount
EFT11276	28/06/2016	COVS	JUNE SUPPLIES	70.83
EFT11277	28/06/2016	SHIRE OF MT MARSHALL	FLEET VEHICLE LICENCE RENEWALS	12281.75
EFT11278	28/06/2016	TWO DOGS HOME HARDWARE	JUNE SUPPLIES	126.85
EFT11279	28/06/2016	CJD EQUIPMENT PTY LTD	PARTS	444.67
EFT11280	28/06/2016	COURIER AUSTRALIA	FREIGHT-JUNE'16	28.35
EFT11281	28/06/2016	MUKA TYRE MART	TYRES	4047.00
EFT11282	28/06/2016	WESFARMERS KLEENHEAT GAS P/L	SERVICE CHARGE-GAS CYLINDER	138.60
EFT11283	28/06/2016	PURE AIR FILTERS	JUNE SUPPLIES	547.80
EFT11284	28/06/2016	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS	101.00
EFT11285	28/06/2016	EASTERN DISTRICTS PANEL BEATERS	EXCESS ON INSURANCE CLAIM	300.00
EFT11286	28/06/2016	SHIRE OF TRAYNING	DOCTORS VEHICLE & MEDICAL EXPENSES-MAY16 25%	21635.13
EFT11287	28/06/2016	BENCUBBIN NEWS & POST	POSTAGE 30.5.16-2.6.16	201.10
EFT11288	28/06/2016	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	300.00
EFT11289	28/06/2016	BUNNINGS BUILDING SUPPLIES	JUNE SUPPLIES	263.30
EFT11290	28/06/2016	AUSTRALIAN TAXATION OFFICE	FBT	6386.09
EFT11291	28/06/2016	MOORE STEPHENS (WA) PTY LTD	FBT RETURN	1485.00
EFT11292	28/06/2016	ICS CARPENTRY	REFURBISHMENT-BEACON COMPLEX	50916.80
EFT11293	28/06/2016	STAR TRACK EXPRESS	FREIGHT-JUNE'16	598.77
EFT11294	28/06/2016	ALL-WAYS FOODS	JUNE SUPPLIES	190.30
EFT11295	28/06/2016	PORKY'S ENTERPRISES	VARIOUS CLEANING-BEACON 2.6.16-15.6.16	2618.00
EFT11296	28/06/2016	CR PA GILLET	MEETING FEES & ALLOWANCES 7.6.16-21.6.16	629.18
EFT11297	28/06/2016	AG IMPLEMENTS	JOHN DEERE MOWER	30954.00
EFT11298	28/06/2016	NAUGHTY BUGS PEST CONTROL	TERMITE INSPECTION	990.00
EFT11299	28/06/2016	LANDGATE	COUNTRY SOUTHERN URBAN UV REVALUATION 2015-16	730.75
EFT11300	28/06/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	TRAVEL CASE-BANNERS	90.00
EFT11301	28/06/2016	ADVANCED AUTOLOGIC PTY LTD	JUNE SUPPLIES	139.00
EFT11302	28/06/2016	5RIVERS PLUMBING AND GAS	BACKFLOW DEVICE	4550.92
EFT11303	28/06/2016	BENNY MART	JUNE SUPPLIES	22.70

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Chq/EFT	Date	Name	Description	Amount
EFT11304	28/06/2016	TUTT BRYANT EQUIPMENT	PARTS	298.63
EFT11305	28/06/2016	CR WJ BEAGLEY	MEETING FEES & ALLOWANCES 21.6.16	515.18
EFT11306	28/06/2016	AWP GROUP	SHADE SAIL-REPLACEMENT	5797.00
EFT11307	28/06/2016	WALLIS COMPUTER SOLUTIONS	TECHNICAL SUPPORT-JUNE'16	2770.24
EFT11308	28/06/2016	PETE'S SHED	FRAMING OF HONORARY FREEMAN CERTIFICATE	60.00
EFT11309	28/06/2016	KC SALES	JUNE CATERING	195.50
EFT11310	28/06/2016	SALLY MORGAN	REIMBURSEMENT-ITEMS FOR DAYCARE AND COOKING DAY	89.67
EFT11311	28/06/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES 30.5.16 & 17.6.16	537.62
EFT11312	28/06/2016	MICHAEL PUTT	GRAVEL	112.20
EFT11313	28/06/2016	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.6.16- 10.7.16	596.30
EFT11314	28/06/2016	WHEATBELT COMMUNITY DEVELOPMENT SERVICE	ORAL HISTORY CATALOGUING	420.00
EFT11315	28/06/2016	CR ARC SACHSE	MEETING FEES & ALLOWANCES 14.6.16- 21.6.16	545.18
EFT11316	28/06/2016	CR RM KIRBY	MEETING FEES & ALLOWANCES 26.5.16- 21.6.16	1795.90
EFT11317	28/06/2016	CR SE FAULKNER	MEETING FEES & ALLOWANCES 7.6.16- 21.6.16	792.50
EFT11318	28/06/2016	CR HJ SHEMELD	MEETING FEES & ALLOWANCES 26.5.16- 21.6.16	781.18
EFT11319	28/06/2016	CALLUM THOMAS LUMSDEN	MEETING FEES & ALLOWANCES 21.6.16	493.18
EFT11320	28/06/2016	HEAVY METAL WELDING & CUSTOM FABRICATION	JUNE SUPPLIES	55.00
EFT11321	28/06/2016	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES-JUNE'16	358.01
EFT11322	28/06/2016	MARGO O'BYRNE COMMUNICATION AND FACILITATION	FACILITATE TO COMMUNITY MEETINGS	3500.00
EFT11323	28/06/2016	EXECUTIVE MEDIA PTY LTD	ADVERTISING	1375.00
EFT11324	29/06/2016	WA TREASURY CORPORATION	LOAN 119 & 118	31956.21
EFT11325	28/06/2016	DC PAYMENTS AUSTRALASIA	ONGOING FEES FOR ATM-MAY16	103.59
EFT11326	29/06/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	103.20

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Chq/EFT	Date	Name	Description	Amount
EFT11327	29/06/2016	LGRCEU	PAYROLL DEDUCTIONS	77.60
EFT11328	29/06/2016	STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	460.00
18686	16/06/2016	TELSTRA	UTILITY CHARGES-MAY'16	70.00
18687	16/06/2016	WATER CORPORATION	UTILITY CHARGES-MAY'16	258.42
18688	16/06/2016	SYNERGY	UTILITY CHARGES-MAY'16	1025.95
18689	22/06/2016	BEACON COMMUNITY REC COUNCIL	ANNUAL FEE-BEACON GYM 2016	1300.00
18690	28/06/2016	TELSTRA	UTILITY CHARGES-JUNE'16	3182.53
18691	28/06/2016	SYNERGY	UTILITY CHARGES - 12.4.16-10.6.16	10462.05
18692	28/06/2016	NUNGARIN NEWSLINK INC	ADVERTISING	50.00
18693	28/06/2016	D & MA SPARK	GRAVEL & DOZER	8412.80
18694	28/06/2016	RN & JB WHYTE	DOZER HIRE	8404.00
DD8405.1	08/06/2016	WALGS PLAN	PAYROLL DEDUCTIONS	7398.76
DD8405.2	08/06/2016	DL SELLENGER SUPERFUND	SUPERANNUATION CONTRIBUTIONS	23.88
DD8405.3	08/06/2016	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	196.60
DD8405.4	08/06/2016	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	181.22
DD8405.5	08/06/2016	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	154.31
DD8405.6	08/06/2016	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	166.44
DD8406.1	22/06/2016	WALGS PLAN	PAYROLL DEDUCTIONS	7504.36
DD8406.2	22/06/2016	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	196.60
DD8406.3	22/06/2016	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	181.22
DD8406.4	22/06/2016	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	154.31
DD8406.5	22/06/2016	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	202.92
				1,404,034.67

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT11217	08/06/2016	DEPARTMENT OF TRANSPORT	MMSO20160509	13707.50
EFT11272	22/06/2016	BENCUBBIN SPORTS CLUB INC.	INVOICE 363-SOCIAL CLUB	241.00
EFT11273	22/06/2016	BENNY MART	INVOICE 363	32.00
EFT11275	28/06/2016	NADINE RICHMOND	REIMBURSEMENT FOR CHOCOLATES-SOCIAL CLUB	29.90
EFT11329	30/06/2016	DEPARTMENT OF TRANSPORT	MMSO20160621	12773.00
				26,783.40

3. Mastercard

Details	Amount
ACCOM./MEALS S WYATT GST/SUPER WORKSHOP	467.92
PARKING-T.MCLENNAN-MOORE STEPHENS	14.50
MEALS-T.MCLENNAN-MOORE STEPHENS	101.50
PARKING-T.MCLENNAN-MOORE STEPHENS	14.00
SERVICE-CLEANERS VAN	249.00
SUBS-AGE FRIENDLY/SAFETY	13.20
SOLAR PUMP & TROUGHS-BEACON	2215.00
FOXTEL	155.00
FOXTEL	200.00
FOXTEL-229 MURRAY	155.00
PARTS-WATER TANKER	522.53
POSTAGE-BEACON SURVEYS	78.00
	4,185.65

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **19 July 2016**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

Stephen Tindale
Acting Chief Executive Officer

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

12.4 Chief Executive Officer

12.4.12 Bencubbin Recreation Complex Funding Options

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: A6/18a
AUTHOR: Stephen Tindale - Acting Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 15 July 2016
ATTACHMENT NUMBER: 12.4.12a – Notes from Bencubbin Community Meeting
12.4.12b – Notes from Beacon Community Meeting
12.4.12c – ACEO's Report on Meetings
12.4.12d – Facilitator Report on Meetings
12.4.12e – Collated Survey Responses
12.4.12f – ACEO Analysis of Survey Responses
CONSULTATION: Public via meetings and surveys
Various others
STATUTORY ENVIRONMENT: **Local Government Act 1995**

Sec. 5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Sec. 6.37. Specified area rates

- (1) A local government may impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the ratepayers or residents within that area —
 - (a) have benefited or will benefit from; or
 - (b) have access to or will have access to; or
 - (c) have contributed or will contribute to the need for,that work, service or facility.
- (2) A local government is required to —
 - (a) use the money from a specified area rate for the purpose for which the rate

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

is imposed in the financial year in which the rate is imposed; or

- (b) to place it in a reserve account established under section 6.11 for that purpose.

- (3) Where money has been placed in a reserve account under subsection (2)(b), the local government is not to —

- (a) change the purpose of the reserve account; or
- (b) use the money in the reserve account for a purpose other than the service for which the specified area rate was imposed,

and section 6.11(2), (3) and (4) do not apply to such a reserve account.

- (4) A local government may only use the money raised from a specified area rate —

- (a) to meet the cost of providing the specific work, service or facility for which the rate was imposed; or
- (b) to repay money borrowed for anything referred to in paragraph (a) and interest on that money.

- (5) If a local government receives more money than it requires from a specified area rate on any land or if the money received from the rate is no longer required for the work, service or facility the local government —

- (a) may, and if so requested by the owner of the land is required to, make a refund to that owner which is proportionate to the contributions received by the local government; or
- (b) is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to the land on which the rate was imposed against future liabilities for rates or service charges in respect of that land.

- (6) Where —

- (a) before the coming into operation of the *Local Government Amendment Act 2012* Part 2 Division 5, a specified

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

area rate was imposed, or purportedly imposed, under this section by a local government for the purpose of the provision of underground electricity; and

- (b) the underground electricity was not, or will not, be provided, or not wholly provided, by the local government,

the rate is, and is taken always to have been, as validly imposed under this section as it would have been if, at the time of the imposition of the rate, the local government were to provide the underground electricity.

POLICY IMPLICATIONS:
FINANCIAL IMPLICATIONS:

Nil
Funding of \$2,600,000 modification to Bencubbin Recreation Complex;
Funding of Loans

STRATEGIC IMPLICATIONS:

The redevelopment of the complex is intended to give early effect to S 4.2 of the 2013 Corporate Business Plan - *maintain service levels, major upgrade to Bencubbin Sporting complex 2017/18.*

VOTING REQUIREMENT:

Simple Majority (Absolute Majority required when adopting 2016/2017 Budget)

OFFICER RECOMMENDATION:

That Council utilise the funds saved from matured/maturing loans 115 and 117 to fund a Shire loan of \$982,600 at ruling rates (currently 3.4%) for 25 years with quarterly repayments thus removing the need to raise a loan to be funded by a specified area rate for the balance of funding for the redevelopment of the Bencubbin Recreation Complex

Moved Cr

Seconded Cr

Carried

ALTERNATIVE OFFICER RECOMMENDATION:

That based on current and ongoing community consultation, Shire staff prepare a report for Council's consideration at its next ordinary meeting on a proposed specified area rate boundary aligned with, or in the vicinity of, the Andrews Tank Rd and its prolongation eastwards to the Shire boundary to enable the raising of two proposed loans to cover the balance of funding required for the proposed redevelopment of the Bencubbin Recreation Complex. The first proposed loan to be repaid by general rates and the second proposed loan to be repaid by a specified area rate on land holdings south of the proposed boundary.

Moved Cr

Seconded Cr

Carried

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2016/107 COUNCIL DECISION:

That based on current and ongoing community consultation, Shire staff prepare a report for Council's consideration at its next ordinary meeting on a proposed specified area rate boundary aligned with, or in the vicinity of, the Andrews Tank Rd and its prolongation eastwards to the Shire boundary to enable the raising of two proposed loans to cover the balance of funding required for the proposed redevelopment of the Bencubbin Recreation Complex. The first proposed loan to be repaid by general rates and the second proposed loan to be repaid by a specified area rate on land holdings south of the proposed boundary.

Moved Cr ARCSachse

Seconded Cr PA Gillett

Carried 6/1

Reason Council decision is different to the officer's recommendation: Council wanted to emphasise the fact that the loans in relation to the Bencubbin Multipurpose Complex redevelopment were at this stage simply a proposal.

BACKGROUND:

The following record of events has its origins in the preparation and adoption by Council in 2013 of a ten-year Strategic Community Plan and the endorsement of an accompanying four-year Corporate Business Plan as required under Sec 5.56 of the *Local Government Act 1995* and subsidiary legislation.

In addition to these plans, the Shire of Mt Marshall also has in place a number of complementary plans which are intended to ensure that the works and services provided by the Shire are provided in a financially sound and socially sustainable manner.

These plans include:

- Long Term Financial Plan
- Asset Management Plan
- Workforce Plan

The 2013 Strategic Community Plan outlines the community's vision values and priorities. It is put into action by Shire staff through the preparation and endorsement by Council of a rolling four-year Corporate Business Plan.

One of the primary social objectives of the 2013 Strategic Community Plan is to:

Provide active and passive recreation facilities and services

S4.1 Develop a broad recreation master plan for the Shire

S 4.2 Develop, maintain and support appropriate recreation facilities throughout the Shire (ongoing)

S 4.3 Partner with stakeholders to achieve greater community participation in recreational facilities and services

This social objective is to be implemented through key performance measures for staff contained in the 2013 Corporate Business Plan specifically:

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

S 4.1 - prepare and adopt master plan, complete strategies/tasks by 2016

S 4.2 - maintain service levels, major upgrade to Bencubbin Sporting complex 2017/18 (emphasis added)

S 4.3 - maintain service levels, increased community Involvement in recreation facilities, complete strategies/tasks by 2018

A number of Council decisions have brought forward the proposed major upgrade to the Bencubbin Sporting complex as the following Council resolutions show.

At the April 2014 Council meeting, funding was provided for the development of plans and costings for the extension of the complex.

2014/057 COUNCIL DECISION / OFFICER RECOMMENDATION:

That;

- 1. Council commits the required \$30,000 from 2014/15 financial year budget to engage an architect to develop plans and costing's for the extensions to the Bencubbin Recreation Complex.**
- 2. The Chief Executive Officer be given authority to engage the services of the Architect immediately.**

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 5/2

Following the receipt of plans and costings, Council noted at its September 2014 meeting the following intended sources of funding (ex GST) for the project for the purpose of making a submission to the State Government for grant funding i.e. Community Sporting and Recreation Services Facility Fund (CSRFF) funding.

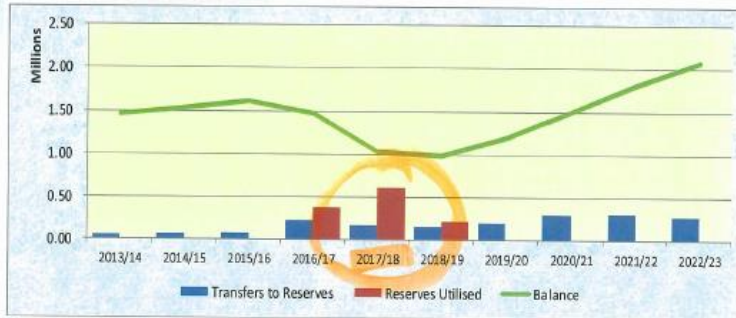
Shire of Mt Marshall	\$1,790,775
Bencubbin Community Recreation Council	\$20,000
Volunteer labour	\$30,725
CSRFF grant	<u>\$920,000</u>
	\$2,761,500

Notwithstanding a timing difference, the draw down on reserve funds and increased borrowings had already been anticipated by the Council in the Shire's 2013 Long Term Financial Plan as shown below.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

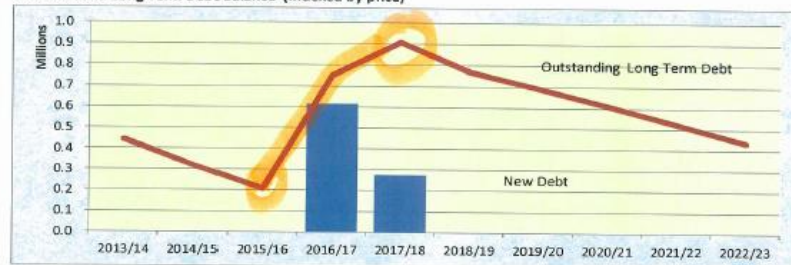
Reserves and Debt

Reserve accounts - transfers and balances



Information Source : Long Term Financial Plan forecasts

New Debt and Long Term Debt balance (Indexed by price)



Information Source : Long Term Financial Plan forecasts

The Council resolution also reaffirmed the timing difference in making a start on the redevelopment on the redevelopment of the Bencubbin Recreation Complex ahead ahead of the Mt Marshall Swimming Pool.

2014/125 COUNCIL DECISION / OFFICER RECOMMENDATION:

That;

- i. The upgrade to the Bencubbin Recreation Complex be ranked as the number one Community Sport and Recreation priority project for the Shire of Mt Marshall, and
- ii. That the Community Sport and Recreation Facilities Funding application for upgrades to the Bencubbin Recreation Complex be approved for submission to the Department of Sport and Recreation, substantially in the form as presented to the 23 September 2014 Ordinary Meeting of Council,

Moved Cr Gillett

Seconded Cr Sanders

Carried 7/0

The Shire of Mt Marshall was subsequently informed by the Department of Sport and Recreation that the application for CSRFF funding was unsuccessful.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

In response the CEO took the initiative and made an application for a grant under the Commonwealth's National Stronger Regions Funding program. The grant funding request was increased from the \$920,000 agreed to by Council at its September 2014 meeting to \$990,000 with a view to further reducing the draw on the Shire's own resources.

The Shire was advised of the success of its application for \$990,000 from the National Stronger Regions Fund in May 2015.

A community petition regarding the project resulted in a Special Meeting of Electors being held in Bencubbin on 10 September 2015. Council considered the outcomes of this Special Meeting of Electors and at the September 2015 Ordinary Council meeting it resolved as follows:

2015/121 OFFICER RECOMMENDATION/COUNCIL DECISION:

That:

1. the scale of the Bencubbin Complex Redevelopment project be staged to limit expenditure of Stage 1. to a maximum of \$1,990,000 including the \$990,000 NSRF funding (down from the previous amount of \$2,797,000). That the NSRF funding body be advised of the Shire's desire to reduce the scale of the project and the 2015/2016 Budget be amended as follows:

As Per 2015/2016 Adopted Budget

Bencubbin Rec Council Self Supporting Loan	\$ 300,000
Shire Loan	\$ 1,000,000
NSRF Grant / Donation	\$ 990,000
Reserve Funds	\$ 407,000
2015/16 Budget Allocation	<u>\$ 100,000</u>

Total Project Budget	<u>\$ 2,797,000</u>
-----------------------------	----------------------------

Proposed Amended Project Budget

Bencubbin Rec Council Self Supporting Loan	\$ 250,000
Shire Loan	\$ 400,000
NSRF Grant / Donation	\$ 990,000
Reserve Funds – Public Amenities	\$ 243,000
Reserve Funds – Bencubbin Rec Complex	\$ 7,000
2015/16 Budget Allocation	<u>\$ 100,000</u>

Total Project Budget	<u>\$ 1,990,000</u>
-----------------------------	----------------------------

2. the Bencubbin Recreation Complex Redevelopment project budget be amended to reduce the draw on reserves from the Public Amenities Reserve of \$407,000 (as per 2015/16 Budget) to \$250,000 and the Budget be amended accordingly, as per the proposed budget amendment.
3. the CEO prepare a detailed breakup of the proposed reduced Budget, including rate comparison with neighbouring Shires, total interest payable

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

on the loan, and advertise the updated financial implications accordingly by way of conventional means (Newsletters, Social Media, and 1098 Radio).

4. the Shire continue to provide thorough and effective communication via Social Media (Facebook and Twitter), Shire Webpage, Newsletters in The Beacon Bulletin and The Gimlet along with staff continuing to provide fortnightly updates on 1098 Radiowest.
5. Shire staff make every possible effort to procure grants and external financial assistance towards projects included within the Sporting and Recreation Master Plan.
6. the Bencubbin Recreation Complex Redevelopment proceed with the reduction in the 2015/2016 Budget accordingly:

Proposed Amended Project Budget

Bencubbin Rec Council Self Supporting Loan	\$	250,000
Shire Loan	\$	400,000
NSRF Grant / Donation	\$	990,000
Reserve Funds – Public Amenities	\$	243,000
Reserve Funds – Bencubbin Rec Complex	\$	7,000
2015/16 Budget Allocation		\$100,000
 Total Project Budget	 \$	 <u>1,990,000</u>

Moved Cr RN Breakell

Seconded IC Sanders

**Carried 4/0
Absolute Majority**

In accordance with resolution 2015/121 from the September 2015 meeting of Council, the CEO contacted the NSRF Office in Canberra to explain that Council had resolved to scale back the project as per the motion.

The NSRF Office responded that:

We understand the difficult situation that the Council faces. However, should the Council decide to scale down the scope of work and project cost as originally stated in the application the Australian Government contribution under the NSRF funding would be reduced accordingly on a prorata basis.

At a subsequent meeting of Council held on 16 December 2015, Council resolved to revisit the budget for the complex in order to maximise the contribution from the NSRF which would otherwise have been diminished by an amount of approximately \$275,000.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2015/151 COUNCIL DECISION:

That:

- 1. the scale of the Bencubbin Complex Redevelopment project be reduced from the original 2015/2016 Budget amount of \$2,797,000 to \$2,600,000 and that National Stronger Regions be advised of this change accordingly;**
- 2. Council fund \$550,000 (five hundred and fifty thousand dollars) of the borrowings towards the redevelopment of the project with a specified area rate with this portion of the loan being payable over a maximum of 25 years;**
- 3. Council enter into an agreement with the Bencubbin Community Recreation Council for repayments of \$150,000 (one hundred and fifty thousand dollars) of loan proceeds towards the Bencubbin redevelopment project as a self-supporting loan payable over a maximum of 25 years;**
- 4. the Bencubbin Community Recreation Council contributes a further \$100,000 (one hundred thousand) in cash to the project;**
- 5. the Shire of Mt Marshall contribute reserve funds totalling \$250,000 (two hundred and fifty thousand) towards the Bencubbin complex redevelopment project as follows:**

Reserve Funds – Public Amenities	\$ 243,000
Reserve Funds – Bencubbin Rec Complex	\$ 7,000
- 6. Council continues to commit \$100,000 (one hundred thousand dollars) from the 2015/2016 Budget as per the original Budget document;**
- 7. Council borrow the remaining project balance of \$317,000 (three hundred and seventeen dollars) to be paid over a period of 20 years;**
- 8. an in kind commitment of \$100,000 (one hundred thousand dollars) be endorsed for Shire staff to manage the project;**
- 9. an in kind commitment of \$100,000 (one hundred thousand dollars) be endorsed for Bencubbin Recreation Council to carry out allowable works; and**
- 10. A summary of the new project Budget follows:**

Loan Proceeds – Specified Area Rate	\$550,000
Loan Proceeds – Bencubbin Recreation Council	\$150,000
Cash – Bencubbin Recreation Council	\$100,000
Loan Proceeds – All of Shire of Mt Marshall	\$317,600
Council Reserve Funds	\$250,000
2015/2016 Budget Allocation	\$100,000
In Kind – Project Management	\$100,000
In Kind – Bencubbin Recreation Council	\$100,000
National Stronger Regions Grant Funding	<u>\$932,400</u>

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Total Budget		\$2,600,000
Moved Cr ARC Sachse	Seconded Cr PA Gillett	Carried 6/1
Absolute Majority		
Opposed: Cr HJ Shemeld		

2015/152 COUNCIL DECISION:

That Council contact NSRF and request that the full grant of \$990,000 be made available for the project. This would result in an overall budget of \$2,657,600 if this request was granted.

Moved Cr ARC Sachse	Seconded Cr WJ Beagley	Carried 6/1
Opposed: Cr HJ Shemeld		

2015/153 COUNCIL DECISION:

That:

- 1. If the cost of the completed project is less than the cost estimate in the NSRF Funding Agreement, the cost savings will be returned to each stakeholder (all of Shire of Mt Marshall; Specified Area Rate; BCRC and NSRF) on a pro rata basis for each of the stakeholders who request funds to be returned; and**
- 2. The 10% contingency plan for over runs, required by NSRF, will be contributed by three stake holders, being all of Shire of Mt Marshall, Specified Area Rate and Bencubbin Community Recreation Council on a pro rata basis relative to the total non-grant funds of \$1,667,600 on the cost estimate.**

Moved Cr SE Faulkner	Seconded Cr CT Lumsden	Carried 6/1
Opposed: Cr HJ Shemeld		

2015/154 COUNCIL DECISION:

That a Council committee be formed to help with project management of the Bencubbin Recreation Complex Redevelopment including members of Council, Bencubbin Community Recreation Council members and Shire staff with appointments to be made at the Ordinary Meeting of Council in February 2016.

Moved Cr SE Faulkner	Seconded: Cr ARC Sachse	Carried 6/1
Opposed: Cr HJ Shemeld		

Following the December 2015 meeting of Council, the CEO sought legal advice on the matter. The advice indicated that due process had not been followed and that the resolution to impose a specified area rate (SAR) to fund repayments of a loan totalling \$550,000 should be revoked so that public consultation could occur prior to any decision being made to adopt a specified area rate.

This advice was accepted by Council and on 17 May 2016 it resolved as follows:

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2016/081 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council heed the legal advice received from Civic Legal and revoke part of its previous decision at its meeting held on 16 December 2015 (resolution 2015/151) to raise a Specified Area Rate to fund loan repayments on loans to design and redevelop the Bencubbin Multipurpose Complex, that decision being:

2. *Council fund \$550,000 (five hundred and fifty thousand dollars) of the borrowings towards the redevelopment of the project with a specified area rate with this portion of the loan being payable over a maximum of 25 years;*

Moved Cr ARC Sachse

Seconded Cr SE Faulkner

**Carried 6/1
Absolute Majority**

Further consultation has occurred since May 2016 with two public meetings being held, one in Bencubbin and one in Beacon.

In addition a survey was distributed to ratepayers. A summary of responses to the survey, a schedule of queries and comments made by respondents (both at the meetings and in the surveys) and the former Acting CEO's comments are attached.

Councillors are encouraged to read these attachments as they provide additional commentary to this report.

Public meetings are also being held later this month to consider the review of the Strategic Community Plan and they are likely to see the proposed SAR being revisited by members of the community.

The total loan borrowings Council now needs to consider for the project are as follows:

Shire - General	\$432,600
Shire – SAR	\$550,000
Bencubbin CRC	<u>\$250,000</u>
Total	\$1,232,600

The *Local Government Act 1995* requires the adoption of the 2016/17 Annual Budget by no later than 31st August 2016. The loan program therefore needs to be settled before that date so that rate notices can be issued.

COMMENT:

The Acting CEO believes that there are three options that Council should consider in deciding how best to fund the two Shire loans totalling \$982,600.

1. Specified Area Rate

The application of a Specified Area Rate appears to be Council's preference if only because of the 2015 December decision to raise a Specified Area Rate (SAR) to generate loan funds of \$550,000 accompanied by whole of Shire loan to raise the balance of \$432,000.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

As has been pointed out to Council previously (and despite precedents where Shire of Mt Marshall facilities have been constructed or redeveloped using an SAR), this project is not ideally suited for the application of a SAR on two counts.

Firstly a SAR typically applies to a discrete area where landowners receive (or can receive) a finite service within a limited geographic area that does not extend to others. Examples might be a deep sewerage scheme or television and radio rebroadcasts within a limited radius of a township.

The community of interest for the Bencubbin Sporting Complex is much broader and is only diluted (not negated) by distance.

On that basis a landowner affected by the SAR could lodge a successful appeal to the State Administrative Tribunal (SAT) arguing the arbitrariness of any SAR boundary and/or its unfair exclusion of others who have an identifiable community of interest with the Bencubbin Recreation Complex. A successful appeal could result in the proposed SAR being overturned.

Secondly a simple change of Council membership following Council elections may result in a decision by the incoming Council to abandon the SAR when setting future Council budgets. Such a decision would not be entirely inconsistent with previous decisions of the Council to abandon specified area rates.

The Shire of Mt Marshall would undoubtedly suffer significant reputational damage if either eventuality should come to pass. In addition, the legal bill for the defence of any action in the State Administrative Tribunal could escalate into the tens of thousands of dollars if mediation fails in the first instance.

If however Council believes that the proposed SAR is in principle fair and just, then it should seek a further report from staff on a boundary alignment that is based on existing communities of interest and likely usage of the complex. To that end, an Alternative Officer Recommendation has been provided for Council's consideration.

2. Reduce the SAR Loan by Utilising Existing Reserve Funds

The Shire had a reserve account balance at 30 June 2015 of \$2,097,019 with two reserves totalling \$1,262,450. These two reserves are for Public Amenities & Buildings at \$621,406 and the Mt Marshall Aquatic Centre Replacement at \$641,044.

The Public Amenities & Building reserve has been reduced during 2015-2016 by \$100,000 for works at the Bencubbin Caravan Park. The works will generate income in the order of \$300,000 during 2015/16 and a further \$40,000 to August 2016. It is expected that further use of this fund will generate an increased revenue stream for the Shire.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

The Mt Marshall Aquatic Centre needs major work as it continues to lose 20,000 litres of water a day during a shortened summer season. Its upgrade was seen as the number one priority for recreation facilities in the Shire until its relegation to second place with the development of the Bencubbin Recreation Complex proposal.

The use of the two reserve funds is not supported as it will only make the work of the Council that much harder in the short to medium term and is akin to “robbing Peter to pay Paul”. The former Acting CEO’s comments on the last page of Attachment 12.4.12c to this report also makes comment on the use of the reserve funds.

Nonetheless should Council choose to utilise these two reserve funds to reduce the size of either of the two proposed loans SAR, then provision can be made in the 2016/2017 Annual Budget.

3. Existing Loan Program Reduction

There are two existing Shire loans that will be paid out by August 2016.

These loans are as follows:

- **Loan 115 – Housing Upgrade**
Completed 1 February 2016
Annual repayments \$33,458
Saving to 2016/17 Budget

- **Loan 117 – Accommodation Units**
Complete 3 August 2016
Annual repayments \$24,130
Saving to 2016/17 Budget \$12,065

From the above there is a potential saving accruing to the 2016/17 Annual Budget of \$45,523. In a full year the savings will be \$57,588.

By utilising these savings the Shire loan would be fully funded and a balance of \$550,000 could be funded from these resources. The total repayments on a \$982,600 loan @ 3.5% over 20 years with quarterly repayments is \$68,522 thus leaving a shortfall of \$10,934 or only 1% of rates.

Option 2 (Reduce the SAR Loan by Utilising Existing Reserve Funds) is least preferred because it may encourage a less than full response to the decline of existing assets in the short to medium term by temporary or ad-hoc responses to longer term problems.

Option 1 (Specified Area Rate) is the next most preferred option because it appears to sit relatively comfortably with the community and Council.

However there are significant reputational risks to the Shire if;

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

1. the SAR is successfully challenged in the SAT by a landowner (or landowners) willing to fund the cost of a challenge in return for a reduced rate burden, or
2. the SAR is overturned by a future Council.

There is also some financial risk in defending any action in the State Administrative Council.

At another level, the Facilitators Report (Attachment 12.4.12d) makes some telling observations under the heading of Reflections and Recommendations at p.3 of the report.

Those recommendations should be considered by Council either in the term of the current Acting CEO or with the recruitment of a new CEO.

The perception that the Beacon community has been disadvantaged relative to the Bencubbin community over the years seems to be evidenced by the use of the SAR funding mechanism to overcome funding difficulties in the delivery of community works and services.

To a limited extent, the use of a SAR reflects a desire to redress perceived imbalances in the delivery of those works and services. To some extent, it (the SAR) can be considered to be a less than wholly effective instrument if the current community disquiet over the proposed financing of the complex is any indicator.

Nonetheless an Alternative Officer Recommendation has been prepared for Council's consideration which is, in all likelihood, more in tune with Council and community expectations if the project is to proceed.

Of the three options, Option 3 (Existing Loan Program Reduction) is the most preferred by the Acting CEO as it will have the least impact on 2016/17 rate notices.

An estimated shortfall of 1% could be found from a brought forward surplus from the 2015/16 financial year or accommodated by recent advice that RCR (Water Corp) have now confirmed occupation of the Worker's Camp through to November, with an anticipated income stream to the Shire of approximately \$125,000.

The savings arising from the expiration of loans 115 and 116 could be temporary however in that their expiration may have already been allowed for in the Long Term Financial Plan although there is no direct evidence readily available to support this one way or another.

This means that other capital-intense projects (albeit for less contentious projects) may have a significant rate impact on future year budgets.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

12.5 Executive Assistant

Nil

Having declared their financial interests, Cr SE Faulkner, Cr ARC Sachse and Cr PA Gillett left chambers at 3:23pm.

Mr Stephen Tindale left chambers at 3:26pm

Mr Jack Walker and Mr Stephen Tindale entered Chambers at 3:27pm

12.6 Regulatory Officer

12.6.1 Application for Development Approval – Qstone Pty Ltd

LOCATION/ADDRESS:	Ninghan locations 606 & 3029 – Faulkner R, J & S Ninghan location 2643 – PA Sachse
NAME OF APPLICANT:	John Guthrie – Qstone Pty Ltd
FILE REFERENCE:	TP1/2
AUTHOR:	Jack Walker – Regulatory Officer
DISCLOSURE OF INTEREST:	No interest to disclose
DATE:	7 July 2016
ATTACHMENT NUMBER:	12.6.1a – Qstone Pty Ltd Mining Proposal Business Plan 12.6.1b – Application for Development Approval – R, S and J Faulkner 12.6.1c – Application for Development Approval – Paul Sachse
CONSULTATION:	Eddie Piper – Acting Chief Executive Officer Isabell McKay – Department of Mines Perth
STATUTORY ENVIRONMENT:	Planning & Development Act 2005 Shire of Mt Marshall Local Planning Scheme No 3
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	As per town planning fees
STRATEGIC IMPLICATIONS:	Meets with the strategic goals of the Shire of Mt Marshall Local Planning Strategy
VOTING REQUIREMENT:	Simple majority

OFFICERS RECOMMENDATION:

That Council approves the application for development for an extractive industry on Ninghan locations 606, 3029, and 2643, Potts Road, Welbungin for Qstone Pty Ltd for the purpose of extracting pegmatite aggregate in accordance with the development application dated 7 July 2016 subject to the following conditions:

1. to activate the planning approval, the development subject to this approval must be substantially commenced within a period of two (2) years of the date of the approval notice. If the development is not commenced within this period the approval shall lapse;

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

2. where a permit is required under the provisions of the Building Act 2011 and Building Regulations 2012, all relevant approvals and /or requirements to be lodged with the permit authority prior to the commencement of any building works on-site;
3. the approval is valid for 15 years;
4. no excavation or associated operations and facilities to occur outside of the locations indicated on the application;
5. the hours of operation of the extractive industry shall be limited to daylight hours Monday to Saturday, exclusive of public holidays.
6. a \$1,000.00 per year contribution paid to the Shire covering road maintenance in accordance with the approved Traffic Management Plan.
7. payment of a bond of \$5,000.00 for the rehabilitation and closure of the site to be lodged with the Shire of Mt Marshall.
8. an agreement to be signed by both parties accepting the above conditions.
9. Qstone management provides contact details for the distribution of SMS messaging relating to Total Fire Bans and Harvest and Movement of Vehicles in Paddock Bans.
10. extraction on or under the road reserve to be the subject of a separate application for development approval.

Moved Cr CT Lumsden

Seconded Cr HJ Shemeld

2016/108 AMENDMENT/COUNCIL DECISION:

That Council approves the application for development for an extractive industry on Ninghan locations 606, 3029, and 2643, Potts Road, Welbungin for Qstone Pty Ltd for the purpose of extracting pegmatite aggregate in accordance with the development application dated 7 July 2016 subject to the following conditions:

1. to activate the planning approval, the development subject to this approval must be substantially commenced within a period of two (2) years of the date of the approval notice. If the development is not commenced within this period the approval shall lapse;
2. where a permit is required under the provisions of the Building Act 2011 and Building Regulations 2012, all relevant approvals and /or requirements to be lodged with the permit authority prior to the commencement of any building works on-site;
3. the approval is valid for 15 years;
4. no excavation or associated operations and facilities to occur outside of the locations indicated on the application;
5. the hours of operation of the extractive industry shall be limited to daylight hours Monday to Saturday, exclusive of public holidays.
6. a \$1,000.00 per year (subject to an annual review by Council) paid to the Shire covering road maintenance in accordance with the approved Traffic Management Plan, etc.
7. payment of a bond of \$5,000.00 for the rehabilitation and closure of the site to be lodged with the Shire of Mt Marshall.
8. an agreement to be signed by both parties accepting the above conditions.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

- | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>9. Qstone management provides contact details for the distribution of SMS messaging relating to Total Fire Bans and Harvest and Movement of Vehicles in Paddock Bans.</p> <p>10. extraction on or under the road reserve to be the subject of a separate application for development approval.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Moved Cr WJ Beagley

Seconded Cr HJ Shemeld

Carried 4/0

The amendment became the motion and the motion carried 4/0.

Reason Council decision different to officer's recommendation: Council wanted to include in condition 6 that a review takes place annually to ensure the applicant is liable for excess road maintenance carried out by the Shire due to excess usage of the roads by the applicant.

BACKGROUND:

An application for development approval was received on 7 July 2016 from Qstone Pty Ltd of Bayswater, WA for an extractive industry to be located on Ninghan Locations 606, 3029 & 2643 Potts Road, Welbungin.

COMMENT:

An Industry – Extractive is listed for a 'Rural' zoned area as 'D' being 'Discretionary' land use. Once permission is sought the local authority can exercise its discretion by granting or refusing planning approval.

Qstone Pty Ltd propose to establish an extractive industry on Ninghan Locations 606, 3029 and 2643 Potts Road, Welbungin for the purpose of extracting pegmatite aggregate which is used in decorative concrete and stone. Ninghan Locations 606 & 3029 are owned by Raymond, Jason & Stuart Faulkner and Ninghan Location 2643 is owned by Paul Sachse.

Road Access & Vehicle Movement – the annual production for the first twelve months has been estimated at between 5,000 – 8,000 tonne building up to 10,000 – 15,000 tonne depending on the market. Assuming pocket road trains (PRT) are used which carry a minimum of 79 tonne it is estimated in the first twelve months there would be 63 PRT movements per year building up to 15,000 tonne sales, which would equate to 189 PRT movements per year.

Actual weekly movements are difficult to estimate as there will be different demands during the year. Trucks movements are proposed to operate in the same manner during the operation of grain trucks. It is anticipated that quarry production will be around 20,000 tonnes per year, rising to 30,000 tonne annually. For example, 30,000 tonnes taken will equate to 2 - 3 laden truck movements per day. During the Christmas period (mid Dec – end Jan) work will cease completely and the winter months sees a general decline in the construction industry. During the months when production is high it is estimated there will be up to 8 PRT movements per week, while during the months when production is lower, 2-3 PRT movements per week are likely.

The proposed route for transporting the materials from the site is – Potts Road, right onto Gillett Road, left onto Askew Road and then left on the Bencubbin – Beacon Road to Bencubbin. This totals approximately 9.5km of travel on gravel roads compared to 15 -20 km on the alternative routes.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Mr Guthrie has indicated that Qstone Pty Ltd are prepared to make a contribution to the maintenance of the roads that they will be using.

Employment – the Shire of Mt Marshall Local Planning Strategy identifies attracting employment opportunities into the Shire by encouraging activities that will generate such employment. An extractive industry meets that strategic objective. Mr Guthrie has indicated that there may be local employment opportunities available once full production is achieved. He has also indicated that they will be requiring local accommodation during the quarries operation.

Site Rehabilitation & Closure – the life of the project is estimated at 10 years and a comprehensive rehabilitation and closure plan is referred to in the Mining Proposal Business Plan (attachment 12.6.1a).

Minutes of the Ordinary Meeting of Council **held on Tuesday 19 July 2016**

Pegmatite Aggregates – Lots 606, 3029 and 2643, Potts Road, Wondanning
Qstone Pty Ltd

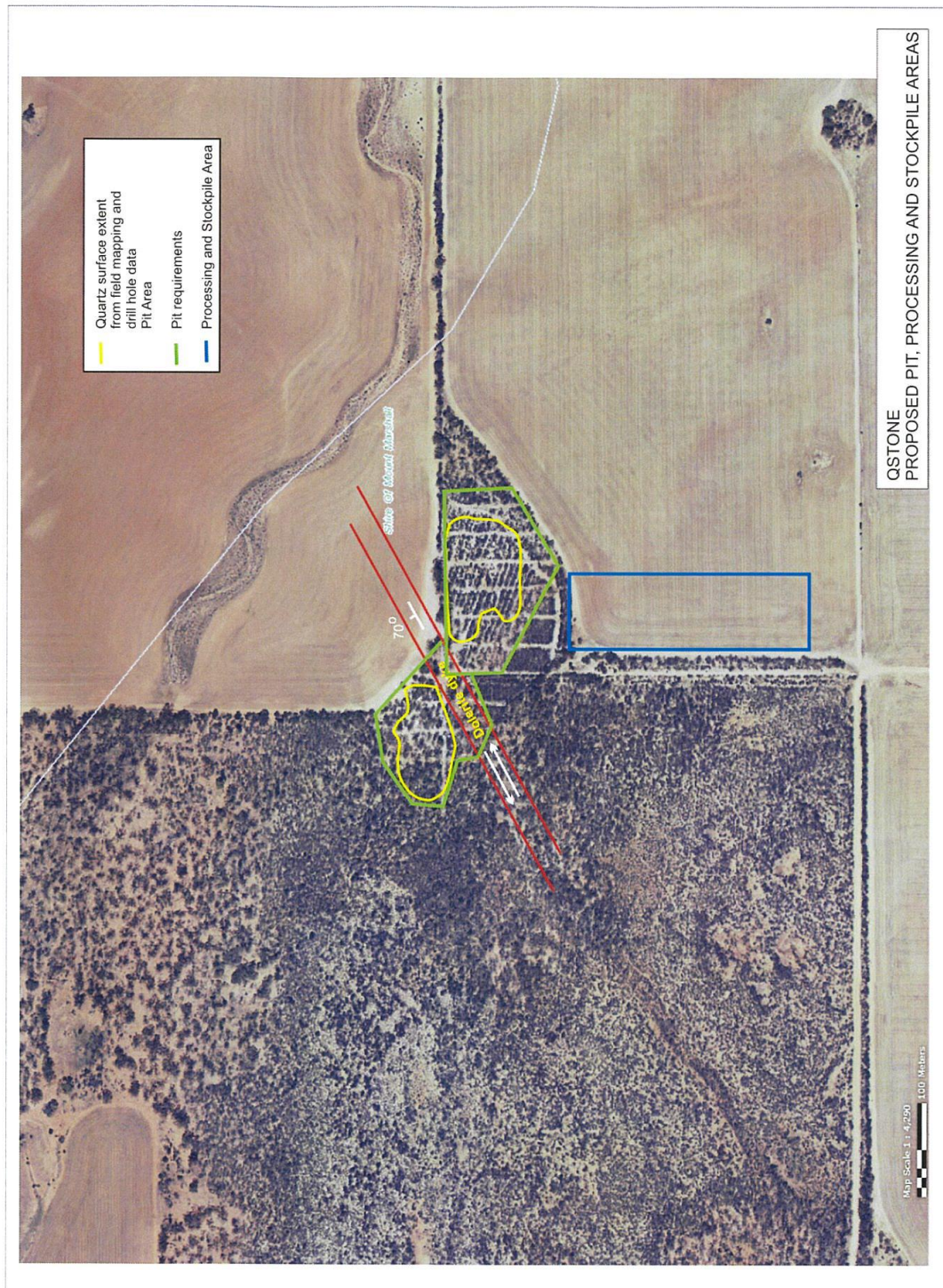


Figure 6 Proposed Pit and Processing Area

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

Ms Tanika McLennan and Mr Jack Walker left chambers at 3:33pm.

Ms Tanika McLennan, Cr ARC Sachse, Cr PA Gillett and Cr SE Faulkner entered chambers at 3:33pm

The Presiding Member declared a change in the order of business to consider item 15.1.1

15.0	New Business of an Urgent Nature Introduced by Decision of the Meeting
-------------	-------------------------------------------------------------------------------

2016/109 COUNCIL DECISION:

That the late item 15.1.1 be considered as presented.

Moved Cr ARC Sachse	Seconded Cr CT Lumsden	Carried 7/0
---------------------	------------------------	-------------

15.1.1	Wheatbelt Freight Plan – Wheatbelt North East Sub Regional Road Group (WNE SRRG)
---------------	-----------------------------------------------------------------------------------------

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A5/17
AUTHOR:	Jack Walker – Regulatory Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	18 July 2016
ATTACHMENT NUMBER:	15.1.1a – Minutes of WNE SRRG Meeting held 27 June 2016 15.1.1b - Draft List of Collector Routes
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	To be advised
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/110 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorse the recommendation of the Wheatbelt North East Sub Regional Road Group in relation to the Wheatbelt Freight Plan as follows:

That:

- | | |
|----|--------------------------------------------------------------------|
| a) | The following “Collector” Routes within the WNE SRRG road network: |
| 1 | Wyalkatchem to Southern Cross Route |
| 2 | Cunderdin to Wyalkatchem Route |
| 3 | Wongan Hills to Koorda Route |
| 4 | Hines Hill to Burakin Route |
| 5 | Kulja to Dalwallinu Route |
| 6 | Kellerberrin to Beacon Route |

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

7	Warralakin to Burracoppin Route	
8	Bruce Rock to Moorine Rock Route	
	be endorsed as our Wheatbelt Freight Plan routes.	
b)	All of the 2030 roads within these eight (8) WFP “collector” routes be allocated a single RAV access level of Network 7.	
c)	All of the 2030 roads within these eight (8) WFP “collector” routes be allocated an AMMS level of 2, except for the Mukinbudin / Wialki Rd within the Shire of Mukinbudin from SLK 0.0 – 25.00 (Mukinbudin – Bonnie Rock Rd intersection), which is to be kept at its current level 3.	
Moved Cr SE Faulkner		Seconded Cr ARC Sachse
		Carried 7/0

BACKGROUND:

In late 2014 Wheatbelt South Regional Road Group (WBSRRG) requested WALGA to facilitate a workshop to discuss and identify ways to address a number of cross – shire RAV access issues with the aim of creating a clearer continuous freight network in the Wheatbelt.

WALGA, Heavy Vehicles Services and Main Roads Wheatbelt has been discussing what actions need to be taken to clarify and rationalise the freight network in the Wheatbelt and discussions have been held with both Department of Transport and Wheatbelt Development Commission.

It has been agreed to proceed with three work streams:

Workstream 1 – RAV assessment backlogs

The Main Roads Wheatbelt structure has sufficient officers trained in RAV assessments to assist HVS in dealing with new enquiries, but there is a significant backlog of RAV assessments that need to be addressed.

Workstream 2 – the Final Mile

Wheatbelt farmers are likely to continue to utilise larger truck configurations in the future to take produce from paddock to grain bin or port or abattoir. Given that not all local government roads are on the RAV network a mechanism by which farmers can legally transport produce from paddock to the approved RAV network needs to be determined. HVS will work with WALGA to identify options for the last mile access.

Workstream 3 – Produce a Plan for a secondary Road Freight Network in the Wheatbelt

When the RAV network was created individual shires took different approaches to which roads should be on each RAV network. This has resulted in discontinuous RAV routes across shire boundaries. Given that Workstream 2 will identify a way to enable produce to be brought to the RAV network it is necessary for local governments to agree on which local government roads should be the main collector roads to bring freight traffic to the Main Roads Network and what RAV ratings those collector roads should be.

In order to progress Workstream 3 it is necessary for shires to confirm which routes in each sub group are to be regarded as collector routes. The WNE SRRG identified the following eight “collector” routes within its network:

- (1) Wyalkatchem to Southern Cross route
- (2) Cunderdin to Wyalkatchem route
- (3) Wongan Hills to Koorda route
- (4) Hines Hill to Burakin route

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

- (5) Kulja to Dalwallinu route
- (6) Kellerberrin to Beacon route
- (7) Warralakin to Burracoppin route
- (8) Bruce Rock to Moorine Rock route

It was also agreed that all the collector routes should be allocated RAV7 access.

COMMENT:

Several RAV7 access issues have been identified throughout the region and funding will be needed to ensure that the roads meet Main Road Heavy Vehicle guidelines.

Problems identified in the Shire of Mt Marshall were, Watson's Court (RAV4), Kirby Street (RAV6) and Ingleton Road (RAV6).

Council has approached Main Roads WA to have these roads re-assessed to RAV7 and are still waiting a reply.

Advice has been received from Main Roads WA regarding Watson's Court stating that it will not be re-assessed, as in 2012 it was denied RAV6 access due to non-compliant swept paths and no upgrades have been carried out.

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

The Presiding Member declared that item 13.1 would now be considered.

13.0 Matters for which Members of the Public to be Excluded

2016/111 RECOMMENDATION/COUNCIL DECISION:

That Council resolve to exclude members of the public to discuss agenda item 13.1 as it is considered a matter regarding a contract which may be entered into.

Moved Cr PA Gillett	Seconded Cr HJ Shemeld	Carried 7/0
----------------------------	-------------------------------	--------------------

The public gallery was cleared at 3:40pm.

13.1 CONFIDENTIAL: Tender RFT02/15 – Architectural Services, Bencubbin Multipurpose Complex Redevelopment

2016/112 OFFICER RECOMMENDATION/COUNCIL DECISION:

That in response to tender number RFT02/15 and subject to the inclusion of \$2,600,000 in the 2016/17 Annual Budget for the proposed redevelopment of the Bencubbin Multipurpose Complex, Council accept the tender submitted by Site Architecture for the provision of architectural services for the amount of \$198,765.

Moved Cr ARC Sachse	Seconded Cr PA Gillett	Carried 6/1
----------------------------	-------------------------------	--------------------

2016/113 RECOMMENDATION/COUNCIL DECISION:

That the meeting comes out from behind closed doors.

Moved Cr PA Gillett	Seconded Cr SE Faulkner	Carried 7/0
----------------------------	--------------------------------	--------------------

Mr Ian Sanders, Mr Peter Waters and Mr Michael Putt returned to chambers at 3:42pm and the Presiding Member read aloud Council decision 2016/112.

14.0 Elected Members Motions of Which Previous Notice Has Been Given

Nil

16.0 Next Meeting – Tuesday 16 August commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

17.0 Closure of Meeting

The Presiding Member declared the meeting closed at 3:43pm

Minutes of the Ordinary Meeting of Council
held on Tuesday 19 July 2016

These Minutes were confirmed by the Council at its Ordinary Meeting held on

Date

Cr RM Kirby

President